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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

"APPLICANTS' BRIEF ON APPEAL IN ACCORDANCE WITH 37 CFR §41.37"

APPLICANT: Karola SCHEIDIG

GROUP ART UNIT: 2173

SERIAL NO.: 09/582,543

EXAMINER: Kieu D. Vu

FILING DATE: September 25, 2000

CONFIRMATION NO.: 2932

INVENTION: **"METHOD AND SYSTEM FOR CONTROLLING AN
OPERATOR INTERFACE WITH THE DISPLAY FIELDS
CONTAINING GRAPHICS AND TEXT"**

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

This is an appeal, filed in the U.S. Patent and Trademark Office on June 10, 2005, of the Examiner's Final Rejection dated January 10, 2005, of claims 1 -15.

In accordance with 37 C.F.R. §41.37, this Brief is submitted with a check in the amount of \$500.00 to cover the filing fee under §41.20(b)(2) and a request for a one month extension of the date for filing of the brief. Applicants hereby request a one month extension of the date for filing this brief to September 10, 2005, and enclose herewith a check in the amount of \$120 for the fee.

The sections required under 37 C.F.R. §41.37(c)(1) are set forth below:

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(i). REAL PARTY IN INTEREST

The real party in interest in the present appeal is the assignee, OCE Printing Systems GmbH, by recorded assignment as recorded on September 25, 2000, at Reel 011138, Frame 0781.

(ii). RELATED APPEALS AND INTERFERENCES

No related appeals or interferences have been filed.

(iii). STATUS OF CLAIMS

Claims 1 - 15 are on appeal and are set forth as amended in the Claims Appendix attached hereto.

In the present application, claims 1 - 15 are pending.

Claims 1, 3, 6, 8, and 11 - 15 are rejected in the Final Rejection under 35 U.S.C. 103(a) as being unpatentable over Mullaney U.S. Patent No. 5,917,484 and Evanitsky et al. U.S. Patent No. 5,045,880;

Claims 2 and 7 are rejected in the Final Rejection under 35 U.S.C. 103(a) as being unpatentable over Mullaney U.S. Patent No. 5,917,484, Evanitsky U.S. Patent No. 5,045,880 and Daly et al. U.S. Patent No. 4,907,282;

Claims 4 and 9 are rejected in the Final Rejection under 35 U.S.C. 103(a) as being unpatentable over the Mullaney U.S. Patent No. 5,917,484, Evanitsky U.S. Patent No. 5,045,880 and Frary PCT Published Application WO 1990/12358; and

Claim 5 and 10 are rejected in the Final Rejection under 35 U.S.C. 103(a) as being unpatentable over the Mullaney U.S. Patent No. 5,917,484, Evanitsky U.S. Patent No. 5,045,880 and Kumano U.S. Patent No. 5,978,754.

(iv). STATUS OF AMENDMENTS

No amendments have been filed subsequent to the Final Rejection.

(v). SUMMARY OF CLAIMED SUBJECT MATTER

Briefly, the present invention provides a control panel for a computer controlled system which has graphical elements on the control panel and text associated with the graphical elements. The graphical elements are stored as image files for each display field and, according to the invention, the text for the display fields are stored as text files in each of the available languages. The image files of the graphical elements are combined with the text files of a selected language to form display fields in the selected language on the control panel. The user may change languages of the display and only the text files are changed, whereas the same graphical elements files are used no matter what language has been selected. Thus, only one graphics file is required for each display field regardless of the number of languages possible for the display. Since text files are smaller in size than graphical files, there is a reduction in the storage space required for multiple language displays.

With reference to the specification and drawings, on page 4, line 27 and 28, Figure 1 schematically shows a screen 10, on which a control panel program generates an operator interface.

At page 5, line 7 to page 7, line 9, display fields 12 through 26 are present in a first row of the screen 10, which display fields that contain a graphics element and text. The screen 10 is further fashioned as a sensor screen, i.e. that touch-sensors are disposed under the display fields 12 through 26, which touch-sensors recognize the touching by means of a pen or a finger. Given operating of one of the display fields 12 through 26, the control panel program branches into a corresponding menu, in which the operator can input different parameters, in which bits of information are displayed (in display field 24) or via which the computer-controlled system - a high-performance printer in the present case - can be switched in the off-state (in display field 26). The display fields 12 through 26 contain symbols as graphics elements, which symbols indicate the function of the menu called by the control panel program.

Rectangular displays 28, 30 and 32, which exclusively contain texts, are provided below the display fields 12 through 26. Further, a text field 34 is displayed, which indicates the status of the high-performance printer. A parameter field 36, which shows operating parameters, is provided in the lower image part of the screen 10. As can be seen from Figure 1, all texts that are shown at the screen are in English. However, it is desirable that the texts to be displayed are in the language of the location depending on the location where the high-performance printer is installed.

Figure 2 shows a version of the operator interface, whereby the texts are displayed in German in the sections 28 through 36. Such a representation is relatively simple to manage, since the display of texts can be managed relatively fast with the aid of the graphics controller, whereby corresponding text files are accessed. However, it can be recognized that the text elements in the display fields 12 through 26 are still in the English language, since it is relatively difficult to only modify the text portion in images with graphics elements. Given a display according to Figure 2, the operator may not be comfortable with the display, since he must read the menu in two languages.

In the left image part, Figure 3 shows the editing of text files with different languages. Each text file with identical bits of information, for example with the term "paper" receives the same access number, 302 for example. When the operator selects a language, for example English or German, the text file of the same number - the number 302 in the present case - is accessed and this text is represented in the display field together with the graphics. It can be recognized in the right image part that the text "paper" is faded-in from the corresponding text file with the number 302 with respect to the graphics part, which shows a paper web given the selected language English. The display field with the language German can be seen therebelow. The text file with the number 302 is also accessed. As a result of the fixed language German, the term "Papier" is now displayed on the display field. It is to be noted that the graphics part need not be reloaded but remains unchanged. Merely the respective text in the chosen language is faded-in.

Figure 4 shows flowcharts given the program start and given a change of the language. According to step 40, the texts are initially loaded into the main memory corresponding to the selected language 1. Subsequently, the graphics bitmaps for the different display fields are loaded (step 42) and all display fields are displayed on the screen (step 44), i.e. that texts and graphics bitmaps are superimposed and are represented together.

The right image part shows process steps 50 through 54, as they are applied when the language is changed. For example, it is changed from the language 1 to the language 2 in the step 50. This changing ensues by means of inputs of the user after the application menu has been called, i.e. that an application menu is called after the display field 22 has been touched and the application menu is branched into a language changeover menu from there. According to step 52, the texts of the newly selected language stored in the text files are loaded into the main memory. After these texts have been transformed into pixels by means of the graphics controller, they are displayed together with the graphics bitmaps, which were still kept in the main memory, whereby the windowing technique is applied for the representation in general.

(vi). GROUND OF REJECTION TO BE REVIEWED ON APPEAL

1) The first issue on appeal is whether Claims 1, 3, 6, 8, and 11 - 15 are unpatentable under 35 U.S.C. §103(a) over Mullaney U.S. Patent No. 5,917,484 and Evanitsky et al. U.S. Patent No. 5,045,880;

2) The second issue on appeal is whether Claims 2 and 7 are unpatentable under 35 U.S.C. §103(a) over Mullaney U.S. Patent No. 5,917,484, Evanitsky U.S. Patent No. 5,045,880 and Daly et al. U.S. Patent No. 4,907,282;

3) The third issue on appeal is whether Claims 4 and 9 are unpatentable under 35 U.S.C. §103(a) over the Mullaney U.S. Patent No. 5,917,484, Evanitsky U.S. Patent No. 5,045,880 and Frary PCT Published Application WO 1990/12358; and

4) The fourth issue on appeal is whether Claims 5 and 10 are unpatentable under 35 U.S.C. §103(a) over the Mullaney, Evanitsky U.S. Patent No. 5,045,880 and Kumano U.S. Patent No. 5,978,754.

(vii). ARGUMENT

With respect to each ground of rejection identified for review in section (vi), the following arguments are presented.

1) Claims 1, 3, 6, 8, and 11 – 15 are not obvious under 35 U.S.C. §103(a) over the Mullaney U.S. Patent No. 5,917,484 in view of Evanitsky et al. U.S. Patent No. 5,045,880.

Mullaney provides a computer display with multiple language capability by providing a language selection screen from which the desired language is selected. The selection of a language from the screen causes the computer to restart, or in the terms of the patent “reawaken”, using the selected language, termed “locale” in the reference. The reference describes the problem of providing different fonts on a single screen to display different languages for the language selection screen. This problem is addressed by providing each language selection button as a bitmap image file on which the text of the corresponding language is provided as part of the bitmap. There is no teaching to separate the text from the graphics of the buttons on this screen and to store the text separately. Further, the reference teaches that language files fill up valuable storage space and so the reference recommends that un-used language files be deleted. There is an chance that the user of the device according to this reference would not be able to switch to another language since the corresponding language file may have been deleted.

The Examiner has taken the position that Mullaney shows a plurality of display fields with “graphic elements text (sic)” and that Mullaney shows storing a graphics file that contains pixels corresponding to graphics element (sic) to be represented for each of said plurality of display fields. This is not what Mullaney shows. The Examiner also argues that Mullaney teaches only one instance of each graphics file while multiple instances of the

corresponding text is provided. This reading of Mullaney is inaccurate and reads Mullaney in view of the teachings of the present invention instead of looking to what Mullaney would teach to the person of ordinary skill in the art with no knowledge of the present invention.

Mullaney has a single graphic that is displayed on each sequential screen to provide a consistent graphical appearance to the display as the user steps through the process. The **Claim 1** provides a plurality of display fields displayed simultaneously on the operator interface. Mullaney shows only the one graphical element on consecutive screens. Claim 1 provides that the plurality of display fields including display fields containing both graphics elements and text displayed together in each of said display fields. Mullaney shows the single graphic displayed on sequential screens with text. Claim 1 calls for the text that is displayed with corresponding ones of said graphics elements corresponding to the same printer functions as said graphic elements. Nothing equivalent is shown in Mullaney.

The rejection is based on a combined reading of Mullaney and Evanitsky et al. The Evanitsky reference discloses production machine such as a printer or copier with a touch sensitive screen that displays folders relating to pre-programmed tasks. Evanitsky shows a printer control with icons and associated text. No teaching is found in Evanitsky to separately store the icons and text. Applicants respectfully submit that even when considered in combination with Mullaney, there is no suggestion of the claimed invention.

Even when considering Evanitsky together with Mullaney, there is not teaching or suggestion of the claimed invention. Thus, the present invention as defined in claim 1 is not obvious over the combined teachings of the cited art.

Claim 6 calls for a system with a plurality of display fields that contain graphic elements and text displayed together in each said display field, said display fields corresponding to functions on said operator interface, there being only one graphics file for each said display field, said graphics files being associated with the functions of the corresponding display fields; a plurality of language versions stored in text files for the text of each said display field, a plurality of texts being provided for each of the functions of the

corresponding display fields, said text files being stored separated from said graphics files; each of said graphics files relating to the function of said corresponding display field, text files of the selected language being accessed and text pixels of the selected language and pixels of a corresponding ones of the graphics files bitmaps being represented together in said display fields given the display of the display fields, said text describing the function of the corresponding display field in the selected language.

No reading of the cited Mullaney and Evanitsky et al. can result in an invention according to claim 6 absent application of hindsight and selective disregard of the teachings of these references.

Claim 15 provides a method including providing display fields having graphical portions and text portions, said text portions denoting the operator selectable function for the corresponding display field; storing a graphics computer file in a data storage for the graphical portions of the display fields; storing text of a plurality of languages for each of the text portions of the display fields, said text being stored a text file that is separate from said graphics computer file; combining said graphical portion from said graphics computer file with a text portion of the selected language from said text file for each display field of said control panel display; and displaying said control panel display with said display fields formed of said graphical portions combined with corresponding text of said text portion of the selected language, said text being descriptive of said graphical portions in the selected language

The combined teachings of the references fail to show or suggest this combination of features and so the claimed invention is non-obvious over the cited art.

Claims 3, 8, and 11 - 14 are not argued separately.

2) Claims 2 and 7 are not obvious under 35 U.S.C. §103(a) over Mullaney U.S. Patent No. 5,917,484, Evanitsky U.S. Patent No. 5,045,880 and Daly et al. U.S. Patent No. 4,907,282.

The Mullaney and Evanitsky references are described above and the comments with respect thereto are incorporated herein by reference.

The **Daly** reference discloses storing information on shapes of characters and storing pixel maps which can be used to display graphic characters on a display screen in different resolutions. This does not overcome the shortcomings of Mullaney and Evanitsky nor does it in combination therewith provide a suggestion of the claimed invention.

With regard to claim 2, the graphics files as described in claim 1 are loaded into and retained in the main memory as long as required by the menu. In the language incorporated from claim 1, the graphic files have been stored separately from the text files where the graphics and text relate to corresponding functions. Evanitsky does not teach or suggest such separate storage and retaining the graphics file and Mullaney does not teach or suggest the claimed invention.

With regard to claim 7, the main memory loads and retains the graphics files as defined in claim 6 as long as required. The graphics files contain only one graphics file for each said display field, said graphics files being associated with the functions of the corresponding display fields. No teaching or suggestion of this feature is found in the art.

As such, the claims 2 and 7 are non-obvious over the cited art.

3) Claims 4 and 9 are not obvious under 35 U.S.C. §103(a) over the Mullaney U.S. Patent No. 5,917,484, Evanitsky U.S. Patent No. 5,045,880 and Frary PCT Published Application WO 1990/12358.

The Mullaney and Evanitsky references are described above and the comments with respect thereto are incorporated herein by reference.

The reference to **Frary** discloses that a printer or copier has a display panel to display ASCII characters in a default language. The operating manual for the printer or copier guides the user to a menu to select another language for the display, if desired. A memory in the device stores each command in each language. No teaching of the present method is found in this reference or in the combination.

With regard to claim 4, Mullaney teaches an initial menu of languages, not in a submenu as claimed. Evanitsky does not teach language menus. Even when considered with Frary, the claimed menu, submenu relationship of claim 4 is non-obvious.

Claim 9 is not argued separately.

Thus, the combined teachings of the cited references do not obviate claims 4 and 9.

4) Claims 5 and 10 are not obvious under 35 U.S.C. §103(a) over the Mullaney U.S. Patent No. 5,917,484, Evanitsky U.S. Patent No. 5,045,880 and Kumano U.S. Patent No. 5,978,754.

The Mullaney and Evanitsky references are described above and the comments with respect thereto are incorporated herein by reference.

The reference to **Kumano** discloses software which permits the user to select only a portion of the text in one language and which translates that text portion and displays it in place of the selected text. This reference would not lead the person of skill in the art to develop the present invention.

Claim 5 calls for the text to be changed without changing the graphics. In the context of the invention described in claim 1, this represents a non-obvious improvement over the combined art.

Claim 10 calls for the graphic file to be displayed with new text without changing the graphics but with the new text replacing the old text when the language is changed. Kumano does not make such a suggestion, even with read in light of Mullaney and Evanitsky. As such, there is no suggestion of the invention in the art, even with considered together.

Thus, each of the §103 rejections has been shown to be unsupported by the art. As such, the claimed invention is a non-obvious improvement over the teachings of the prior art references, alone or in combination. Favorable reconsideration of the claims is hereby requested.

CONCLUSION

Applicants submit that the subject matter of the claims 1-15 on appeal is not found in any of the references cited by the Examiner, taken singly or in combination, and those claims are therefore allowable.

Applicants respectfully submit that the Examiner is in error in law and fact in rejecting the claims 1 – 15 and earnestly solicit reversal of the Final Rejection and allowance of all claims.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

on September 12, 2005.



(viii). CLAIMS APPENDIX

A copy of the claims involved in the appeal is set forth below:

1. A method for controlling an operator interface of a computer-controlled printing system, comprising the steps of:

processing a control panel program by a computer, said control panel program defining an operator interface for a printer on a screen;

providing a plurality of display fields displayed simultaneously on the operator interface, said plurality of display fields including display fields containing both graphics elements and text displayed together in each of said display fields, each of said graphics elements corresponding to a printer function, said text that is displayed with corresponding ones of said graphics elements corresponding to the same printer functions as said graphic elements;

storing graphics files which contain pixels corresponding to the graphics element to be represented for each of said display fields containing both graphics elements and text, said graphics files including only one instance of each different graphics element;

storing a plurality of language versions in text files for the text of each of said display fields containing both graphics elements and text, said text that is to be displayed with corresponding ones of said graphics elements including multiple instances of the text associated with each graphics element wherein each instance of the text is in a different language, said text files being stored separated from said graphics files;

selecting one single language from said plurality of language versions for the texts of all of said display fields containing both graphics elements and text depending on an input instruction;

loading the graphics files that belong to every one of said display fields containing both graphics elements and text that are displayed simultaneously into a main memory of the computer;

accessing text files of the language selected in said selecting step to retrieve text of the selected one of said plurality of language versions; and simultaneously displaying the display fields containing both graphics elements and text by representing text pixels of the text files of the selected language together with the pixels of the corresponding graphics files for each display field, both said graphics elements and said text of each display field relating to corresponding function.

2. A method according to claim 1, further comprising the steps of: storing the graphics files in a ROM component, and when a menu of the operator interface is called, loading all graphics files of the called menu into the main memory and retaining the graphics files in the main memory as long as the display fields are required for the menu and for further menus.

3. A method according to claim 1, further comprising the steps of: utilizing a sensor screen as a screen, and branching the control panel program into an input menu when one of the display fields are touched, the input menus accepting user inputs bits of information.

4. A method according to claim 3, further comprising the steps of: proceeding from an initial menu, calling an application-submenu by operating a display field, selecting the language in the application-submenu.

5. A method according to claim 1, further comprising the steps of: reading out the new text from the appertaining text file, and displaying the text that was read out instead of the previous text without changing the graphics files of the appertaining display field given a change of the language.

6. A system for controlling an operator interface of a personal computer having a screen and a main memory, comprising:

- a control panel program which defines an operator interface on a screen;
- a plurality of display fields provided on the operator interface, said display fields containing both graphics elements and text displayed together in each said display field, said display fields corresponding to functions on said operator interface;
- a graphics file for ones of said display fields, said graphics file containing pixels corresponding to the graphics element to be shown in each said display field, only one graphics file for each said display field, said graphics files being associated with the functions of the corresponding display fields;
- a plurality of language versions stored in text files for the text of each said display field, a plurality of texts being provided for each of the functions of the corresponding display fields, said text files being stored separated from said graphics files;
- an input that is operable for receiving an input instruction to select one language for the texts of all display fields from said plurality of language versions;
- the graphics file that belongs to every said display field being loaded into the main memory of the computer, each of said graphics files relating to the function of said corresponding display field; and
- text files of the selected language being accessed and text pixels of the selected language and pixels of a corresponding ones of the graphics files being represented together in said display fields given the display of the display fields, said text describing the function of the corresponding display field in the selected language.

7. A system according to claim 6, further comprising:

- a ROM component in which the graphics files are stored and
- the main memory loading and retaining the graphics files of the menu as long as the display fields are required for the menu and for further menus given a call of a menu of the operator interface.

8. A system according to claim 6, further comprising:
a sensor screen as a screen, and
the control panel program branching into an input menu, said input menu accepting user
inputs information when one of the display fields are touched.

9. A system according to claim 8, further comprising:
an output menu leading to an application-submenu called by operating a display field in
which the language is selected.

10. A system according to claim 6, further comprising:
a graphics file displayed with new text read out from the appertaining text file and displayed
instead of the previous text without changing the graphics file of the appertaining
display field given a change of the language.

11. A method as claimed in claim 1, wherein said computer-controlled system is a
printer.

12. A method as claimed in claim 11, wherein said printer is a high-performance
printer.

13. A system as claimed in claim 6, wherein said operator interface operates a printer.

14. A system as claimed in claim 13, wherein said printer is a high-performance
printer.

15. A method for controlling an operator interface of a printer, comprising the steps
of:

providing a control panel display on a screen as an operator interface for control of the printer;

providing display fields in said control panel display, said display fields corresponding to operator selectable functions of the printer, said display fields having graphical portions and text portions, said text portions denoting the operator selectable function for the corresponding display field;

storing a graphics computer file in a data storage for the graphical portions of the display fields;

storing text of a plurality of languages for each of the text portions of the display fields, said text being stored a text file that is separate from said graphics computer file;

accepting a selection of one language from said plurality of languages;

combining said graphical portion from said graphics computer file with a text portion of the selected language from said text file for each display field of said control panel display; and

displaying said control panel display with said display fields formed of said graphical portions combined with corresponding text of said text portion of the selected language, said text being descriptive of said graphical portions in the selected language.

(ix). EVIDENCE APPENDIX

No further evidence is being submitted.

(x). RELATED PROCEEDINGS APPENDIX

There are no relate proceedings.